

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**USDC SDNY
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DIONNE LEE, :

Plaintiff, : 07 Civ. 9917 (AJP)

-against- : **ORDER**

RICHARD K. BAWUAH & COWAN EQUIPMENT, :

Defendants. :
----- X**ANDREW J. PECK, United States Magistrate Judge:**

The Court is in receipt of the parties' proposed Joint Pretrial Order.

1. The parties did not follow the Court's instructions as to the Proposed Jury Instructions. They are to be joint, not plaintiff's proposal and defendants' proposal. Moreover, they are to be in the order you would want them given to the jury, not in somewhat random order. There is no indication whether you agree to or object to each other's proposals. Further, some of the proposals merely repeat the words of the PJI without filling in the blanks (e.g., plaintiff's proposed PJI 2:26 re VTL).

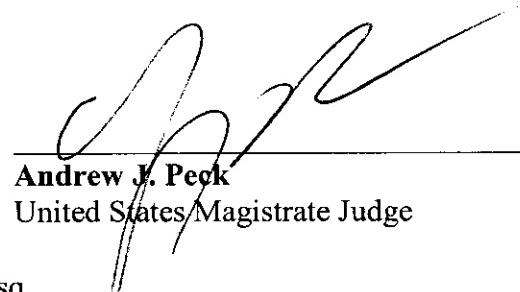
The parties are to re-do the proposed jury instructions and submit them by July 23, 2008 (along with a CD or email to my secretary, in WordPerfect or Word format, not PDF).

2. The Proposed Special Verdict form refers to 5 jurors agreeing as to each question. Does this mean that the parties are stipulating to a less than unanimous verdict (and be aware that we will select 8 jurors). Counsel are to advise.

3. On the third day of trial (Friday, August 8), trial will start at 9 a.m. and end at 12:30 p.m. Trial will continue on Monday, August 11, if necessary.

SO ORDERED.

Dated: New York, New York
July 16, 2008


Andrew J. Peck
United States Magistrate Judge

Copies by fax & ECF to: Winston B. Rouse, Esq.
Jeffrey A. Segal, Esq.